

12-06-01

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PTO/SB/05 (08-00) (modified)

Approved for use through 9/30/2001, OMB 0651-0032

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

11/14/01
11132 U.S. PTO

NEW UTILITY PATENT APPLICATION TRANSMITTAL <i>(only for new nonprovisional applications under 37 CFR 1.53(b))</i>	<i>Attorney Docket Number</i>	22845-05952
	<i>First Named Inventor</i>	Jimmy K. Omura
	<i>Title</i>	Robust data transmission using broadcast digital television signals
	<i>Express Mail Label No.</i>	EL566108253US

11/14/01
11132 U.S. PTO

11/14/01

APPLICATION ELEMENTS	ACCOMPANYING APPLICATION PARTS
1. <input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) 2. <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 3. <input checked="" type="checkbox"/> Specification <i>Total Pages</i> 40 <i>(preferred arrangement set forth below)</i> <input type="checkbox"/> Descriptive Title of the Invention <input type="checkbox"/> Cross Reference(s) to Related Case(s) <input type="checkbox"/> Statement Regarding Fed sponsored R & D <input type="checkbox"/> Background of the Invention <input type="checkbox"/> Brief Summary of the Invention <input type="checkbox"/> Brief Description of the Drawing(s) <input type="checkbox"/> Detailed Description <input type="checkbox"/> Claim or Claims <input type="checkbox"/> Abstract of the Disclosure 4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C. 113) <i>Total Sheets</i> 14 5. Oath or Declaration a. <input checked="" type="checkbox"/> New Declaration <i>Total Pages</i> 1 <input checked="" type="checkbox"/> Executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 CFR 1.63(d)) <i>(for continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> DELETION OF INVENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b). 6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76	7. <input checked="" type="checkbox"/> Assignment Papers (cover sheet & document(s)) 8. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 9. <input checked="" type="checkbox"/> Power of Attorney or Authorization of Agent 10. <input type="checkbox"/> 37 CFR 3.73(b) Statement 11. <input type="checkbox"/> Preliminary Amendment 12. <input type="checkbox"/> Information Disclosure Statement & PTO-1449 <input type="checkbox"/> Copies of IDS Citation(s) 13. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent 14. <input checked="" type="checkbox"/> Return Postcard 15. <input type="checkbox"/> 16. <input type="checkbox"/> 17. <input type="checkbox"/>
ADDRESS TO: Box Patent Application Commissioner for Patents Washington, D.C. 20231	


18. If a **CONTINUING APPLICATION**, check appropriate box and supply the requisite information below and in a preliminary amendment or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No: ____/____

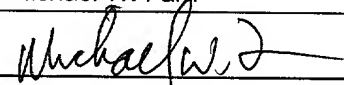
Prior application information: Examiner: _____ Group/Art Unit: _____

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS


00758

☒ Customer Number and Bar Code Label

<i>Name (Print/Type)</i>	Michael W. Farn	<i>Registration No. (Attorney/Agent)</i>	41,015
<i>Signature</i>		<i>Date</i>	November 14, 2001

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

0002/PTO(modified) Rev. 10/2001	U.S. Department of Commerce Patent and Trademark Office	Complete if Known Application Number: Unassigned Filing Date: November 14, 2001 First Named Inventor: Jimmy K. Omura Group Art Unit: Unassigned Examiner Name: Unassigned Attorney Docket Number: 22845-05952
FEE TRANSMITTAL		
TOTAL AMOUNT OF PAYMENT Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$809)		

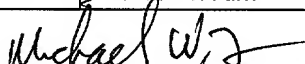
METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																								
1. The Commissioner is hereby authorized to: <input type="checkbox"/> Charge the indicated fees to the below mentioned deposit account. <input checked="" type="checkbox"/> Charge any additional fee required under 37 CFR 1.16 - 1.21 or credit any over payments to the below mentioned deposit account. † <input checked="" type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27 Deposit Account Number: 19-2555 Deposit Account Name: FENWICK & WEST LLP A Duplicate Copy of this authorization is attached 2. <input checked="" type="checkbox"/> Payment Enclosed: <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Other	3. ADDITIONAL FEES <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code/Fee</th> <th style="text-align: left;">Small Entity Fee Code/Fee</th> <th style="text-align: left;">Fee Description</th> <th style="text-align: right;">Fee Due</th> </tr> </thead> <tbody> <tr><td>105/\$130</td><td>205/\$65</td><td>Surcharge - late filing fee or oath</td><td style="text-align: right;">[]</td></tr> <tr><td>127/\$50</td><td>227/\$25</td><td>Surcharge-late provisional filing fee or cover sheet</td><td style="text-align: right;">[]</td></tr> <tr><td>147/\$2,520</td><td>147/\$2,520</td><td>For filing a request for reexamination</td><td style="text-align: right;">[]</td></tr> <tr><td>115/\$110</td><td>215/\$55</td><td>Extension for response within first month†</td><td style="text-align: right;">[]</td></tr> <tr><td>116/\$400</td><td>216/\$200</td><td>Extension for response within second month†</td><td style="text-align: right;">[]</td></tr> <tr><td>117/\$920</td><td>217/\$460</td><td>Extension for response within third month†</td><td style="text-align: right;">[]</td></tr> <tr><td>118/\$1,440</td><td>218/\$720</td><td>Extension for response within fourth month†</td><td style="text-align: right;">[]</td></tr> <tr><td>128/\$1,960</td><td>228/\$980</td><td>Extension for response within fifth month†</td><td style="text-align: right;">[]</td></tr> <tr><td>119/\$320</td><td>219/\$160</td><td>Notice of Appeal</td><td style="text-align: right;">[]</td></tr> <tr><td>141/\$1,280</td><td>241/\$640</td><td>Petition to revive unintentionally abandoned application</td><td style="text-align: right;">[]</td></tr> <tr><td>142/\$1,280</td><td>242/\$640</td><td>Utility Issue Fee (Or Reissue)</td><td style="text-align: right;">[]</td></tr> <tr><td>143/\$460</td><td>243/\$230</td><td>Design Issue Fee</td><td style="text-align: right;">[]</td></tr> <tr><td>122/\$130</td><td>122/\$130</td><td>Petitions to the Commissioner</td><td style="text-align: right;">[]</td></tr> <tr><td>126/\$180</td><td>126/\$180</td><td>Submission of Information Disclosure Statement</td><td style="text-align: right;">[]</td></tr> <tr><td>179/\$740</td><td>279/\$370</td><td>Request for Continued Examination (RCE)</td><td style="text-align: right;">[]</td></tr> <tr><td>581/\$40</td><td>581/\$40</td><td>Recording each patent assignment per property (times number of properties)</td><td style="text-align: right;">40</td></tr> <tr><td>146/\$740</td><td>246/\$370</td><td>Filing a submission after final rejection (37 CFR 1.129(a))</td><td style="text-align: right;">[]</td></tr> <tr><td>149/\$740</td><td>249/\$370</td><td>For each additional invention to be examined (37 CFR 1.129(b))</td><td style="text-align: right;">[]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[]</td></tr> <tr><td colspan="3">Other fee (specify):</td><td style="text-align: right;">[]</td></tr> <tr> <td colspan="3" style="text-align: right;">SUBTOTAL (3)</td> <td style="text-align: right;">(\$40)</td> </tr> </tbody> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	Fee Due	105/\$130	205/\$65	Surcharge - late filing fee or oath	[]	127/\$50	227/\$25	Surcharge-late provisional filing fee or cover sheet	[]	147/\$2,520	147/\$2,520	For filing a request for reexamination	[]	115/\$110	215/\$55	Extension for response within first month†	[]	116/\$400	216/\$200	Extension for response within second month†	[]	117/\$920	217/\$460	Extension for response within third month†	[]	118/\$1,440	218/\$720	Extension for response within fourth month†	[]	128/\$1,960	228/\$980	Extension for response within fifth month†	[]	119/\$320	219/\$160	Notice of Appeal	[]	141/\$1,280	241/\$640	Petition to revive unintentionally abandoned application	[]	142/\$1,280	242/\$640	Utility Issue Fee (Or Reissue)	[]	143/\$460	243/\$230	Design Issue Fee	[]	122/\$130	122/\$130	Petitions to the Commissioner	[]	126/\$180	126/\$180	Submission of Information Disclosure Statement	[]	179/\$740	279/\$370	Request for Continued Examination (RCE)	[]	581/\$40	581/\$40	Recording each patent assignment per property (times number of properties)	40	146/\$740	246/\$370	Filing a submission after final rejection (37 CFR 1.129(a))	[]	149/\$740	249/\$370	For each additional invention to be examined (37 CFR 1.129(b))	[]	Other fee (specify):			[]	Other fee (specify):			[]	SUBTOTAL (3)			(\$40)
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2. CLAIMS <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">Large Entity Fee Code/Fee</th> <th style="text-align: left;">Small Entity Fee Code/Fee</th> <th style="text-align: left;">Fee Description</th> </tr> </thead> <tbody> <tr><td>103/\$18</td><td>203/\$9</td><td>Claims in excess of 20</td></tr> <tr><td>102/\$84</td><td>202/\$42</td><td>Independent claims in excess of 3</td></tr> <tr><td>104/\$280</td><td>204/\$140</td><td>Multiple dependent claim</td></tr> <tr><td>109/\$84</td><td>209/\$42</td><td>Reissue independent claims over original patent</td></tr> <tr><td>110/\$18</td><td>210/\$9</td><td>Reissue claims in excess of 20 and over original patent</td></tr> </tbody> </table>	Large Entity Fee Code/Fee	Small Entity Fee Code/Fee	Fee Description	103/\$18	203/\$9	Claims in excess of 20	102/\$84	202/\$42	Independent claims in excess of 3	104/\$280	204/\$140	Multiple dependent claim	109/\$84	209/\$42	Reissue independent claims over original patent	110/\$18	210/\$9	Reissue claims in excess of 20 and over original patent																																																																							
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(Col 1)		(Col 2)		(Col 3)					
For	No. of Existing Claims		Highest No. Previously Paid For		Extra**		Fee		Fee Due
TOTAL	55	minus*	20 or 0	=	35	x	9	=	315
INDEP	5	minus*	3 or 0	=	2	x	42	=	84
[] First presentation of multiple dependent claim									0

* Subtract the greater number of Col. 2

** If the difference between Col. 1 and Col. 2 is less than zero, then enter "0" in Col. 3

SUBTOTAL (2) (\$399)

SUBMITTED BY		Complete (if applicable)	
Typed or Printed Name	Michael W. Farn	Reg. Number	41,015
Signature		Date	November 14, 2001

† Request for Extension of Time per 37 CFR 1.136 (a)(3) made hereby

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NONPUBLICATION REQUEST UNDER 35 U.S.C. 122(b)(2)(B)(i)	First Named Inventor		Jimmy K. Omura
	Title	Robust data transmission using broadcast digital television signals	
	Atty Docket Number		22845-05952

I hereby certify that the invention disclosed in the attached application **has not been and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

November 14, 2001
Date


Signature

Michael W. Farn, Reg. No. 41,015
Typed or printed name/Registration Number

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.